

1960/57



## THE LAKE TUTIRA (WINTER FISHING) REGULATIONS 1960

H. E. BARROWCLOUGH, Administrator of the Government

### ORDER IN COUNCIL

At the Government House at Wellington this 27th day of April 1960

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the Fisheries Act 1908, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, and on the application of the Hawke's Bay Acclimatisation Society, hereby makes the following regulations.

### REGULATIONS

1. These regulations may be cited as the Lake Tutira (Winter Fishing) Regulations 1960, and shall be read together with and deemed part of the Freshwater Fisheries Regulations 1951,\* as modified from time to time in respect of the Hawke's Bay Acclimatisation District by modification notices under regulation 7 of those regulations (hereinafter referred to as the principal regulations).

2. The principal regulations shall apply in Lake Tutira in the Hawke's Bay Acclimatisation District, except as varied by these regulations.

3. (1) There shall be a winter season in Lake Tutira, which shall commence on the 1st day of May and end with the 30th day of September in each year.

(2) Subject to the provisions of these regulations, it shall be lawful to fish for, take, and kill acclimatised fish in Lake Tutira during the winter season.

\*S.R. 1951/15

Amendment No. 1: S.R. 1951/200

Amendment No. 2: S.R. 1952/185

Amendment No. 3: S.R. 1955/177

Amendment No. 4: S.R. 1957/178

4. There may be issued by the Hawke's Bay Acclimatisation Society a winter-season licence to fish for acclimatised fish in Lake Tutira in the form set out in the Schedule to these regulations.

5. The fee for a winter-season licence shall be 10s.

6. No person shall fish for acclimatised fish during the winter season in—

- (a) That part of Lake Tutira within a radius of 100 yards from the centre of the meeting line of Sandy Creek and the lake; or
- (b) Sandy Creek; or
- (c) The Tutira Stream.

7. No person in fishing for acclimatised fish in Lake Tutira during the winter season shall—

- (a) Use any lure or bait other than artificial fly or artificial minnow; or
- (b) Tow or troll any lure from any mechanically propelled or mechanically drawn boat.

8. Nothing in Part VI of the principal regulations or in paragraph (a) or paragraph (b) of clause 4 of the Freshwater Fisheries Regulations (Hawke's Bay) Modification Notice 1955\* (which relate to bag and size limits) shall apply with respect to acclimatised fish taken or killed in Lake Tutira during the winter season.

9. Nothing in regulation 64 or regulation 65 of the principal regulations (which relate to the storage of fish in freezing chambers during the close season) shall apply with respect to acclimatised fish taken in Lake Tutira during the winter season.

10. Notwithstanding anything in regulation 88 of the principal regulations or in regulation 41 of the Rotorua Trout Fishing Regulations 1951† or in regulation 49 of the Taupo Trout Fishing Regulations 1950‡ (which relate to the possession of acclimatised fish during the close season), it shall be a good defence to a person charged with an offence against either of those regulations if he proves—

- (a) That the fish in respect of which the offence is alleged to have been committed was fresh, frozen, or smoked fish lawfully taken in Lake Tutira during the winter season; or
- (b) That the fish in respect of which the offence is alleged to have been committed was fish that had lawfully been taken in Lake Tutira during the winter season and canned during that season, and had been preserved in cans or jars marked in accordance with the provisions of the principal regulations.

\*S.R. 1955/159

†S.R. 1951/36 (Reprinted with Amendments Nos. 1 to 5, S.R. 1955/189)

Amendment No. 6: S.R. 1956/170

Amendment No. 7: S.R. 1957/207

‡S.R. 1950/186 (Reprinted with Amendments Nos. 1 to 6, S.R. 1955/201)

Amendment No. 7: S.R. 1956/171

Amendment No. 8: S.R. 1957/218

Amendment No. 9: S.R. 1959/207

## SCHEDULE

Reg. 4

## WINTER-SEASON LICENCE

## LICENCE TO FISH IN LAKE TUTIRA

*The Fisheries Act 1908 and its Amendments*

THE holder of this licence [*Name in full*], of [*Address*], [*Calling or Occupation*], having this day paid the sum of 10s., is hereby authorised to fish for trout and other acclimatised fish with one rod and line only in Lake Tutira in the Hawke's Bay Acclimatisation District during any portion of the period commencing on the 1st day of May 19..... and ending with the 30th day of September 19..... (being the winter season for that water), subject to the above-mentioned Acts and to all general and local regulations made thereunder for the time being in force.

Dated this..... day of..... 19.....

.....  
Agent or Secretary,  
Hawke's Bay Acclimatisation Society.

.....  
Signature of Licensee (not valid until signed).

T. J. SHERRARD,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations make provision for a winter season for fishing for trout and other acclimatised fish in Lake Tutira commencing on 1 May and ending 30 September in each year, and prescribe the conditions which are to apply in that winter season.

Issued under the authority of the regulations Act 1936.

Date of notification in *Gazette*: 28 April 1960.

These regulations are administered in the Marine Department.